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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,724	03/04/2004	Yuehting Chen		5303

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06/30/2005

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EXAMINER

PAYER, HWEI SIU CHOU

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/791,724	Applicant(s) CHEN, YUEHTING	
	Examiner Hwei-Siu C. Payer	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 2-5 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Detailed Action

Drawings Objection

The drawings are objected to because

(1) In Figs.2 and 3, reference numeral "274" has not been described in the specification.

(2) In Fig.5, reference numerals "332,333" have not been described in the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Objection to the Abstract

The abstract of the disclosure is objected to because:

- (1) It exceeds 150 words in text.
- (2) At line 1, "blade cutting dap the" should read --a blade cutting depth--.
- (3) At line 2, "hallow" should read --hollow--.
- (4) At line 5, "a outer side" and "head" should read --an outer side-- and --head portion--, respectively.

- (5) At line 8, "protrusion" should read --protrusions--.
- (6) At line 11, "tube" should read --tubes--.
- (7) At line 12, "bolt" should read --bolts--.
- (8) At line 15, "protrusion" should read --protrusions--.
- (9) At line 16, "rod" should read --rods--.

Correction is required. See MPEP § 608.01(b).

Objection to the Specification

The disclosure is objected to because of the following informalities:

- (1) On page 1, lines 8 and 13, "working" should read --work--.
- (2) On page 1, line 17, "it graspable" should read --it is graspable--.

- (3) On page 2, lines 1, 17 and 19, "working" should read --work--.
- (4) On page 2, line 1, "pieces" should read --piece--.
- (5) On page 2, line 12, "secured" should read --securing--.
- (6) On page 2, line 21, "Due to that the" should read --The--.
- (7) On page 2, line 22, "again that's" should read --again, and that's--.
- (8) On page 3, line 23, "lead" should read --lean--.
- (9) On page 4, line 1, "These" should read --This--.
- (10) On page 4, line 9, "a" should read --and--.
- (11) On page 4, line 10, "according" should read --according to--.
- (12) On page 4, line 16, "locking" should read --looking--.
- (13) On page 4, line 19, "a" should read --an--.
- (14) On page 6, lines 5-6, "a oblique portion" should read --an oblique portion--.
- (15) On page 6, line 7, "the pivotal the tubes" should read --the pivotal tubes--.
- (16) On page 6, line 17, "a internally" should read --an internally--.
- (17) On page 6, line 24, "working" should read --work--.
- (18) On page 7, line 3, "he" should read --the--.
- (19) On page 7, line 6, "357" should read --353--.
- (20) On page 7, line 11, "are" should read --arc--.
- (21) On page 7, line 13, "protruded of the slit" does not make sense.
- (22) On page 7, line 14, "fastens" should read --fasten--.
- (23) On page 7, line 15, "working" should read --work--.

(24) On page 7, line 16, "contact to" should read --contact--.

(25) On page 7, line 21, "turned an angle" should read --turned to an angle--.

Appropriate correction is required.

Claims Objection

Claims 1-5 are objected to because of the following informalities:

(1) In claim 1, line 1, "blade" should read --a blade--.

(2) In claim 1, line 4, "in which is a motor operating" should read --from which--.

(3) In claim 1, line 5, after "protruded", --,-- should be added.

(4) In claim 1, line 6, after "thereof", --,-- should be added.

(5) In claim 1, line 9, after "side" should --sides of the head portion--.

(6) In claim 1, line 11, "throng" should read --through--.

(7) In claim 1, line 12, "secured" should read --secured by--.

(8) In claim 1, line 15, after "surface", --of the upper plate-- should be added.

(9) In claim 1, line 18, "belts" should read --bolts--.

(10) In claim 1, line 21, "an" should read --the upper surface-- since it refers to the one previously cited.

(11) In claim 1, line 21, "side" should read --sides--.

(12) In claim 1, line 23, "within" should read --with--.

(13) In claim 1, line 29, "pad ring" should read --a pad ring--.

(14) In claim 1, line 31, "in two ends" should read --at two ends of the lower plate and--.

(15) In claim 1, line 33, "projected" should read --projecting--.

(16) In claim 1, lines 33-34, "upper surface" should read --an upper surface of the lower plate and--.

(17) In claim 1, line 38, "engage able" should read --engageable--.

(18) In claim 1, line 40, "in two end" should read --at two ends--.

(19) In claim 1, line

Appropriate correction is required.

Claims Rejection - 35 U.S.C. 112, second paragraph

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) The scope of claims 2-5 is vague and indefinite because it is not clear exactly what structure of the circular saw is being claimed therein. The claims are replete with functional/operational language, and there is no structure claimed which further limit the structure of the circular saw.

(2) In claims 4 and 5, "may" is indefinite.

Indication of Allowable Subject Matter

Claim 1 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claim contains allowable subject matter because none of the prior art of record taken alone or in combination thereof shows or fairly suggests the specifically claimed structure for a circular saw.

Prior Art Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barth et al., Walter et al., Yee, Vargas, Kelly and Boeshaghi et al. are cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 571-273-4511 for proposed amendments.

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H Payer
June 24, 2005

Hwai-Siu Payer
Primary Examiner